



11-10-05

On AF 1764/4

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS AND INTERFERENCES

In re Application of:
Carl E. Cupit

§ Attorney File: CUPIT001

Serial No.: 10/045,946

§ Group Art Unit: 1764

Filed: January 15, 2002

§ Examiner: Alexis A. Wachtel

FOR: APPARATUS AND METHOD FOR DETERMINING THE LEVEL IN A COKE DRUM

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision mailed August 10, 2005, of the Primary Examiner finally rejecting claims 1-10.

The item (s) checked below are appropriate:

1. [] An extension of time to respond to the final rejection was granted on ____ for ____ month.
[] Under 37 CFR 1.136 (a)
[] Under 37 CFR 1.136 (b)

2. [] Applicant hereby petitions for an extension of the shortened period for response set forth in the Office Action mailed ____ as provided in 37 CFR 1.136 (a).
[] A fee in the amount of \$ ____
[] is enclosed
[] charge to Deposit Account
No. 10-0740. (Duplicate notice
enclosed.)

3. Fee:

[X] Enclosed
[] Not required (Fee paid in prior appeal.)
[] \$500.00
[X] \$250.00 (Small Entity)

Respectfully submitted,

Richard L. Moseley
Reg. No. 32,482
P.O. Box 630708
Houston, Texas 77263
Tele.: (713) 780-7047

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Fax.: (713) 780-7671

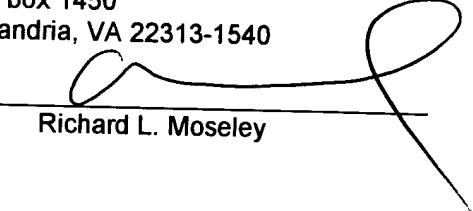
CERTIFICATE OF MAILING

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overnight

Commissioner for Patents
P.O. box 1450
Alexandria, VA 22313-1540

on 11/19/05


Richard L. Moseley